



Entered on Docket
October 06, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

STUTMAN, TREISTER & GLATT, P.C.
FRANK A. MEROLA
(CA State Bar No. 136934)
EVE H. KARASIK
(CA State Bar No. 155356)
CHRISTINE M. PAJAK
(CA State Bar No. 217173), Members of
1901 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067
Telephone: (310) 228-5600
E-mail: finerola@stutman.com
ekarasik@stutman.com
cpajak@stutman.com

SHEA & CARLYON, LTD.
JAMES PATRICK SHEA
(Nevada State Bar No. 000405)
CANDACE C. CARLYON, ESQ.
(Nevada State Bar No. 002666)
SHLOMO S. SHERMAN, ESQ.
(Nevada State Bar No. 009688)
233 South Fourth Street, Second Floor
Las Vegas, Nevada 89101
Telephone: (702) 471-7432
E-mail: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

*Counsel for the Official Committee of Equity Security Holders of
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:	) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY	) Chapter 11
Debtor.)
In re:	) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	) Chapter 11
Debtor.)
In re:	) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	) Chapter 11
Debtor.)
In re:	) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	) Chapter 11
Debtor.)
In re:	) BK-S-06-10729-LBR
USA SECURITIES, LLC,	) Chapter 11
Debtor.)

**ORDER APPROVING FIRST INTERIM EXPENSE APPLICATION OF FIRST
TRUST DEED FUND COMMITTEE**

1 Affects)

2 ☐ All Debtors)

3 ☐ USA Commercial Mortgage Co.)

4 ☐ USA Securities, LLC)

5 ☐ USA Capital Realty Advisors, LLC)

6 ☐ USA Capital Diversified Trust Deed)

7 ☒ USA First Trust Deed Fund, LLC)

Date: September 28, 2006

Time: 9:30 a.m.

8 **ORDER APPROVING FIRST INTERIM APPLICATION OF THE OFFICIAL**
 9 **COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST**
 10 **TRUST DEED FUND, LLC FOR REIMBURSEMENT OF EXPENSES OF**
 11 **COMMITTEE MEMBERS FOR THE PERIOD FROM MAY 10, 2006 THROUGH**
 12 **JULY 31, 2006**
 13 **(AFFECTS DEBTOR USA CAPITAL FIRST TRUST DEED FUND, LLC)**

14 The Court having considered the "First Interim Application of the Official Committee
 15 of Equity Security Holders of USA Capital First Trust Deed Fund, LLC for Reimbursement of
 16 Expenses of Committee Members For the Period From May 10, 2006 Through July 31, 2006"
 17 (the "Application") filed by Stutman, Treister & Glatt, P.C. on behalf of Mary Ellen Moro
 18 ("Ms. Moro") and Richard G. Woudstra Revocable Trust (the "Woudstra Trust"), both of
 19 which are members of the Official Committee of Equity Security Holders of USA Capital
 20 First Trust Deed Fund, LLC; having reviewed the pleadings, papers and records on file in this
 21 matter; and having considered the arguments of counsel, finds that:

22 (i) it has jurisdiction over the matters raised in the Application pursuant to
 23 28 U.S.C. §§ 157 and 1334;

24 (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2);

25 (iii) notice of the Application was appropriate under the circumstances;

26 (iv) all objections to the Application have been considered and either
 27 overruled or otherwise resolved; and

28 (v) upon the record herein after due deliberation thereon, it appearing that
 good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED that:

1 1. The Application is granted as set forth below subject to the Court's
2 Administrative Order Establishing Procedures for Interim Compensation and Reimbursement
3 of Expenses of Professionals entered August 29, 2006 [Docket No. 1202] and as reflected in
4 the record of the hearing.

5 2. Ms. Moro is hereby allowed interim reimbursement of expenses in the
6 sum of \$1,972.38 for the period May 10, 2006 through July 31, 2006 (the "First Interim
7 Period").

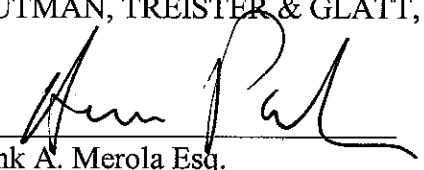
8 3. The Woudstra Trust is hereby allowed interim reimbursement of
9 expenses in the sum of \$203.13 for the First Interim Period.

10 4. USA Capital First Trust Deed Fund, LLC is hereby authorized and
11 directed to pay forthwith to Ms. Moro the sum of \$1,972.38.

12 5. USA Capital First Trust Deed Fund, LLC is hereby authorized and
13 directed to pay forthwith to the Woudstra Trust the sum of \$203.13.

14 SUBMITTED BY:

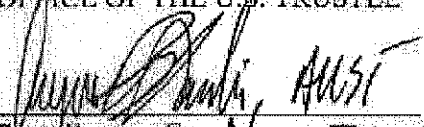
15 STUTMAN, TREISTER & GLATT, P.C.

16 
17 _____
18 Frank A. Merola Esq.
19 Eve H. Karasik, Esq.
20 Andrew M. Parlen, Esq.
21 1901 Avenue of the Stars, 12th Floor
22 Los Angeles, CA 90067

23 Counsel for the Official Committee of Equity
24 Security Holders of USA Capital First Trust
25 Deed Fund, LLC
26
27
28

1 APPROVED/DISAPPROVED:

2 OFFICE OF THE U.S. TRUSTEE

3 
4 Scott Farrow, Esq. August B. Landis
5 300 Las Vegas Blvd. So., #4300
6 Las Vegas, NV 89101

7 Counsel for the United States Trustee

RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

☐ The Court waived the requirements of LR 9021.

☒ I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:

☒ approved the form of this order; or

☒ waived the right to review this order; and/or

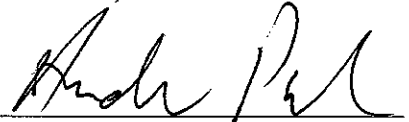
☐ failed to file and serve papers in accordance with LR 9021(c).

☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:

☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 4th day of October, 2006.

STUTMAN, TREISTER & GLATT, P.C.



ANDREW M. PARLEN, ESQ.
1901 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067

###